

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKCopies Mailed/Faxed  
Chambers of Vincent L. Briccetti

GARY STEWART,

Plaintiff,

v.

G. MEDINA,

Defendant.

ORDER

23 CV 880 (VB)

x

On November 28, 2022, plaintiff initiated this pro se Section 1983 action in the United States District Court for the Northern District of New York (“Northern District”) and sought leave to proceed in forma pauperis (“IFP”), that is, without prepayment of fees. (Docs. ##1, 2). Because plaintiff’s IFP application was incomplete, the Northern District ordered the Clerk of Court to administratively close the case, but to reopen it if plaintiff later paid the filing fee in full or submitted a complete IFP application. (Doc. #4). On January 13, 2023, the Clerk received plaintiff’s new IFP application (Doc. #9) and reopened the case. (Doc. #10).

On January 23, 2023, a magistrate judge in the Northern District ordered that the case be transferred to the United States District Court for the Southern District of New York (“Southern District”) because the alleged constitutional violations occurred at Sing Sing Correctional Facility, which is located within the Southern District. (Doc. #11 at 3). The judge directed the Clerk of the Northern District to facilitate the transmission to the Southern District of all documents filed in the action. (Id.). The judge made no ruling as to the sufficiency of plaintiff’s new IFP application, leaving that determination to the Southern District. (Id.).

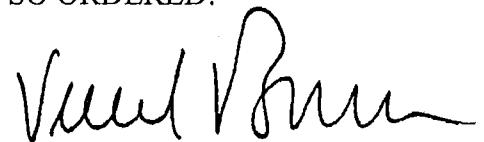
On February 6, 2023, the Chief United States District Judge of the Southern District granted plaintiff’s January 2023 IFP application. (Doc. #13).

On February 16, 2023, the Court received from plaintiff a letter dated February 12, 2023, asking whether he still needs an “I.S.P. form” in light of the enclosed information, i.e., copies of his January 2023 IFP application and inmate account statements. (Doc. #18). The Court understands plaintiff’s letter to be asking whether he needs to file a new IFP application. Because plaintiff has already been granted leave to proceed without prepayment of fees, he need not file a new application.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: February 17, 2023  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge